



Signed and Filed: December 1, 2023

Lewis Montali

DENNIS MONTALI
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

MEMORANDUM REGARDING RECENT CORRESPONDENCE
FROM FIRE VICTIM CLAIMANTS

In recent weeks, the court has received correspondence from the following Fire Victim Claimants expressing dissatisfaction with the Fire Victim Trust's handling of their claims, and/or seeking the court's review and guidance regarding payment from the Fire Victim Trust: Thomas J. Kelly (Dkt. 14123); David Edward Martin (Dkt. 14125, 14126); Elizabeth Hess (Dkt. 14132);

1 and Daniel Skinner (Dkt. 14151). The purpose of this Order is
2 to explain and emphasize to those and other similarly situated
3 claimants the court's limited role in these matters.

4 *The court's Order Confirming Debtors' and Shareholder
5 Proponents' Joint Chapter 11 Plan of Reorganization Dated June
6 19, 2020 (Dkt. 8053), which incorporates the Debtors' and
7 Shareholder Proponents' Joint Chapter 11 Plan of Reorganization
8 Dated June 19, 2020 (Dkt. 8048); the Ninth Supplement to Plan
9 Supplement in Connection with Debtors' and Shareholder
10 Proponents' Joint Chapter 11 Plan of Reorganization (Dkt. 8057);
11 and the court's Order on the Joint Statement of the TCC,
12 Trustee, Debra Grassgreen and Karl Knight, and Eric and Julie
13 Carlson, Joined, In Part, by Mary Wallace, Regarding Unresolved
14 Objections to the Fire Victim Claims Resolution Procedures (Dkt.
15 8235) established the Fire Victim Trust as an entity separate
16 from the court in handling the resolution and payment of Fire
17 Victim Claims. Per those documents, Individual Eligible
18 Claimants, as defined therein, who did not submit and file an
19 Individual Election Notice by the specified deadline would be
20 deemed to accept the Trustee Determination of his or her claim
21 and that Trustee Determination is final, non-appealable, and not
22 subject to review by any court.*

23 Accordingly, there is no recourse here for the claimants
24 who have recently reached out to this court. Further, there is
25 no recourse in this court for any dissatisfied Fire Victim
26 Claimants aside from those who specifically preserved the right
27 to do so, who are named in the above-mentioned documents.

To the extent that a claimant is aware that the attorney who has represented him or her in the filing and resolution of their Fire Victim Claim is acting inappropriately, that claimant may wish to file a complaint about that specific attorney with the California State Bar or consult counsel about other options.

The court continues to encourage the Fire Victim Trust to work with claimants not only to quickly resolve and pay out Fire Victim Claims but to help claimants, many of whom have been waiting many years for payment, to understand any Final Determination that is offered.

****END OF MEMORANDUM****

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